Docket No. 90065.001090/8018.00

Declaration and Power of Attorney For Patent Application English Language Declaration

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name,

| • | | • | • |
|--|---|--|---|
| first and joint inventor (if plu which a patent is sought on | ural names are listent the invention entitle | or (if only one name is listed belowed below) of the subject matter when the subject is subject to sub | hich is claimed and for |
| the specification of which | | | |
| (check one) | | | |
| is attached hereto. | | | |
| □ was filed on | | as United States Application No | or PCT International |
| | | | |
| and was amended on | | | |
| | | (if applicable) | _ |
| I hereby state that I have reincluding the claims, as am | | stand the contents of the above indment referred to above. | dentified specification, |
| 1.56, including for continu | lation-in-part application | n which is material to patentability cations, material information when and the national or PCT interna | ich became available |
| application(s) for patent, o application which designat below and have also idea | r plant breeder's ri ed at least one co ntified below, by c 's rights certificate(| 35 U.S.C. 119(a)-(d) or (f), or ights certificate(s), or 365(a) of ountry other than the United Stachecking the box, any foreign so, or any PCT international apporting is claimed. | any PCT International ites of America, listed application for patent, |
| Prior Foreign Application(s) | | | Priority Not Claimed |
| None | | | |
| (Number) | (Country) | (Day/Month/Year Filed) | • |
| (Number) | (Country) | (Day/Month/Year Filed) | |
| · · · | (Country) | (Day/Monut rear Filed) | |
| (Number) | (Country) | (Day/Month/Year Filed) | • |
| | | | |

| I hereby claim the benefit unde application(s) listed below: | er 35 U.S.C. Section 119(e) | of any United States provisional |
|--|--|---|
| None | | |
| (Application Serial No.) | (Filing Date) | |
| (Application Serial No.) | (Filing Date) | |
| (Application Serial No.) | (Filing Date) | |
| insofar as the subject matter of e United States or PCT Internationa U.S.C. Section 112, I acknowledg Office all information known to m | ach of the claims of this appl if application in the manner pr the the duty to disclose to the U the to be material to patentability to between the filing date of the | the United States, listed below and, ication is not disclosed in the prior ovided by the first paragraph of 35 Inited States Patent and Trademark ity as defined in Title 37, C. F. R., he prior application and the national |
| (Application Serial No.) | (Filing Date) | (Status) (patented, pending, abandoned) |
| (Application Serial No.) | (Filing Date) | (Status) (patented, pending, abandoned) |
| (Application Serial No.) | (Filing Date) | (Status) (patented, pending, abandoned) |

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

POWER OF ATTORNEY: As a named inventor, I hereby appoint the following attorney(s) and/or agent(s) to prosecute this application and transact all business in the Patent and Trademark Office connected therewith. (list name and registration number)

Thomas R FitzGerald, Reg. No. 26,730; Laurence S. Roach, Reg. No. 45,044

Send Correspondence to: Thomas R. FitzGerald, Esq.

16 E. Main Street, Suite 210 Rochester, New York 14614-1803

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(585) 454-2250

Full name of sole or first inventor William F. Seng Sole or first inventor's signature Date -18-2004 Residence 5323 Austral Loop, Austin, Texas 78739 U.S.A. Cittzenship **USA** Post Office Address Same as above

| Second Inventor's signature | Date |
|--|------|
| Residence 13 Fayvlew Lane, North Yarmouth, Maine 04097 U.S.A. | |
| Citizenship USA | **** |
| Post Office Address Same as above | |

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|--|---|--|---|
| first and joint inventor (if plu which a patent is sought on | irst and sole inventor (if only ural names are listed below) the invention entitled G TERM ANNEALING OF NIC | of the subject matter w | hich is claimed and for |
| the specification of which | | | |
| (check one) | | | |
| is attached hereto.□ was filed onApplication Numberand was amended on | as Unite | d States Application No | . or PCT International |
| _ | (if | applicable) | |
| I hereby state that I have reincluding the claims, as amo | eviewed and understand the ended by any amendment re | contents of the above ferred to above. | identified specification, |
| 1.56, including for continu | lisclose information which is ation-in-part applications, role prior application and the tion. | naterial information wh | nich became available |
| application(s) for patent, or application which designate below and have also ider inventor's or plant breeder' | rity benefits under 35 U.S. r plant breeder's rights cert ed at least one country oth tified below, by checking s rights certificate(s), or any cation on which priority is class | ificate(s), or 365(a) of ler than the United Sta the box, any foreign y PCT international app | any PCT International ates of America, listed application for patent, |
| Prior Foreign Application(s) | | | Priority Not Claimed |
| None (Number) | (Country) | (Day/Manth Man Filed) | |
| (Nomber) | (Country) | (Day/Month/Year Filed) | |
| (Number) | (Country) | (Day/Month/Year Filed) | |
| (Number) | (Country) | (Day/Month/Year Filed) | |

| (Application Serial No.) (Application Serial No.) | (Filing Date) (Filing Date) | |
|---|------------------------------|--|
| (Application Serial No.) | (Filing Date) | |
| | | |
| (Application Serial No.) | (Filing Date) | |
| Office all information known to me section 1.56 which became available | to be material to patentab | United States Patent and Trademark ility as defined in Title 37, C. F. R., |
| or PCT International filing date of this None | | the prior application and the national |
| • | | (Status) (patented, pending, abandoned) |
| None | s application: | (Status) |

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Thomas R FitzGerald, Reg. No. 26,730; Laurence S. Roach, Reg. No. 45,044

Same as above

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Full name of sole or first inventor William F. Seng Sole or first inventor's signature Date 5323 Austral Loop, Austin, Texas 78739 U.S.A. Citizenship **USA** Post Office Address

Full name of second inventor, if any Richard L. Woodin Second Inventor's signature Date 3/19/04 13 Fayview Lane, North Yarmouth, Maine 04097 U.S.A. Citizenship **USA** Post Office Address Same as above